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09/712,574	11/14/2000	Toshiya Kanesaka	S004-4146	9723

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ADAMS & WILKS  
50 Broadway  
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New York, NY 10004

EXAMINER

SAID, MANSOUR M

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 03/26/2004

17

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/712,574

Applicant(s)

KANESAKA ET AL.

Examiner

MANSOUR M SAID

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 6, 8, 10, 11, 15-19 and 21-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6, 8, 11, 15-19, 21, 22, 24, 26-32 and 36-40 is/are rejected.
- 7) ☒ Claim(s) 10, 23, 25, 33-35, and 41-44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Amendment***

1. This office action is in respond to the amendment filed on December 29, 2003 and twelve claims (33-44) have been added.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) that forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 6, 8, 15, 18, 21-22, 24 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Panasik (6,219,553 B1) in view of Veerasamy (6,208,865 B1).

As to claim 1, 8, 15 and 19, Panasik (figures 1a-1b) teaches an information processing system comprising a first information processing device (teacher calculator, (14)) having a first wireless communicator for receiving and sending data information by wireless communication and a display for displaying the data information (abstract, column 3, lines 35-67, column 4, lines 23-47); and a second information processing device (student calculator, (18)) having a second wireless communicator for receiving and sending data information from and to the first information processing device by wireless communication and a display for displaying data

information corresponding to the data information displayed by the display of the first information processing device (column 3, lines 39-67 and column 4, lines 1-47).

Panasik does not expressly disclose that a first wireless communicator for receiving and sending data information from and to a base station by wireless communication.

However, Veerasamy discloses that a first wireless communicator for receiving and sending data information from and to a base station by wireless communication (figure 1, column 3, lines 15-39, column 6, lines 54-67, column 7, lines 1-8, column 7, line 27 through column 8, line 4).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate Veerasamy's wireless device teaching into Panasik's system so as to provide a high priority channel that can be ended if a high priority mobile communication device needs to use the priority channel (column 7, lines 5-8).

**As to claim 3,** Veerasamy teaches that the data information displayed by the display of the second information processing device corresponds to the information relating to an ongoing communication state between the first information processing device and an external device (figure 1, column 3, lines 15-39, column 6, lines 54-67, column 7, lines 1-8, column 7, line 27 through column 8, line 4).

**As to claim 6 and 24,** Panasik (figures 1a-1b) fairly discloses that mounting means for mounting the second information-processing device (student calculator, (18) on a person's arm (column 3, lines 35-67).

**As to claim 18,** Veerasamy teaches that the data information displayed by the display of the second information processing device corresponds to the information relating to an ongoing

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communication state between the first information processing device and the base station (figure 1, column 3, lines 15-39, column 6, lines 54-67, column 7, lines 1-8, column 7, line 27 through column 8, line 4).

**As to claim 21**, Panasik (figures 1a-1b) discloses that the display of the second information-processing device (18) displays data information identical to the data information displayed by the display of the first information device (14) (column 3, lines 35-67 and column 4, lines 1-67).

**As to claim 22**, Panasik (figures 1a-1b) discloses that each of the displays of the first and second information processing devices displays a portion of the data information (devices 14 and 18 can send/receive different amount of data) (column 3, lines 35-67 and column 4, 20-47).

**As to claim 26**, Panasik discloses that the second wireless communicator communicates only with the first wireless communicator (figures 1-2, abstract, column 3, lines 40-67, column 4, lines 22-53 and column 5, lines 39-60).

**As to claim 27**, Panasik discloses that the first wireless communicator and the second wireless communicator communicate by short distance wireless communication (figures 1-2, abstract, column 3, lines 40-67, column 4, lines 22-53 and column 5, lines 39-60).

**4. Claims 2, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Panasik in view of Veerasamy as applied to claims 1 and 15 and above and further in view of Prater (5,617,102).**

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As to claims 2 and 17, As best understood, Panasik and Veerasamy disclose all claimed limitations except that information relating to a remaining charges of a battery for supplying power to the first information processing device.

However, Prater discloses that information relating to a remaining charge of a battery for supplying power to the first information-processing device (column 2, lines 46-51.

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to combine Prater's communication device teaching battery recharges into Panasik's modified system so as to provide the advantage of extending the operating life of the transceiver battery (column 2, lines 46-51).

**5. Claims 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Panasik in view of Veerasamy as applied to claims 8 and 15 above and further in view of William (GB 2,149,554).**

As to claims 11 and 16, Panasik and Veerasamy teach all claimed limitations except that a computer readable recording medium for storing for storing a program for processing by a computer to execute the information processing.

However, William (figure 10) teaches a computer readable recording medium for storing for storing a program for processing by a computer to execute the information processing (column 4, lines 79-116 and column 5, lines 40-55).

Therefore, it would have been to one ordinary skill in the art at the time the invention was made to incorporate William's device storing computer program into Panasik's modified system so as to increase the versatility of the device.

**6. Claims 28, 30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Panasik in view of Sato (5,724,647).**

**As to claims 28,** Panasik (figures 1a-1b) teaches an information processing system comprising a first information processing device (teacher calculator, (14)) having a first wireless communicator for receiving and sending data information by wireless communication and a display for displaying the data information (abstract, column 3, lines 35-67, column 4, lines 23-47); and a second information processing device (student calculator, (18)) having a second wireless communicator for receiving and sending data information from and to the first information processing device by wireless communication and a display for displaying data information corresponding to the data information displayed by the display of the first information processing device (column 3, lines 39-67 and column 4, lines 1-47).

Panasik does not expressly disclose that a first wireless communicator for communication with a base station by short-distance wireless communication to receive (figures 1-2, abstract, column 1, lines 10-17, column 3, lines 21-24, column 4, lines 4-37 and column 18, lines 1-20); and send data information from and to the base station and a second information processing device having a second wireless communicator for communicating with the first wireless communicator by short-distance wireless communication to receive and send data information from and to the first wireless communicator (figures 1-2, abstract, column 1, lines 10-17, column 3, lines 21-24, column 4, lines 4-37 and column 18, lines 1-20).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to combine Sato's teaching into Panasik's device so as to provide a wireless

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communication method over a short distance and a long distance, and to reduce communication cost (column 2, lines 1-15).

As to claim 30, Sato teaches that the data information displayed by the display of the second information processing device corresponds to information relating to an ongoing communication state between the first wireless communicator and the base station (figures 1-2, abstract, column 1, lines 10-17, column 3, lines 21-24, column 4, lines 4-37 and column 18, lines 1-20).

As to claim 32, Sato teaches that the data information displayed by the display of the first information-processing device corresponds to the data information received by the first wireless communicator from the base station.

**7. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Panasik in view of Sato as applied to claim 28 above, and further in view of Prater.**

As to claim 29, As best understood, Panasik and Sato disclose all claimed limitations except that information relating to a remaining charges of a battery for supplying power to the first information processing device.

However, Prater discloses that information relating to a remaining charge of a battery for supplying power to the first information-processing device (column 2, lines 46-51).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to combine Prater's communication device teaching battery recharges into Panasik's modified system so as to provide the advantage of extending the operating life of the transceiver battery (column 2, lines 46-51).



**8. Claims 31 and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Panasik in view of Sato as applied to claims 19 and 28 above, and further in view of William.**

As to claims 31 and 40, Panasik and Sato teach all claimed limitations except that a wristwatch-type information processing device.

However, William a wristwatch-type (wristwatches, (figure 1)) information processing device (figure 1, column 2, lines 107-123).

Therefore, it would have been to one ordinary skill in the art at the time the invention was made to incorporate William's device having wristwatches into Panasik's modified system so as to increase the versatility of the device.

As to claim 38, William teaches wherein the second information-processing device comprises a mobile personal computer (figure 4 and column 3, lines 4-12)

As to claim 39, William teaches wherein the first information-processing device comprises a portable telephone (figure 6 and column 3, lines 33-35).

***Allowable Subject Matter***

**9. Claims 10, 23, 25, 33-35 and 41-44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.**

***Response to Arguments***

10. Applicant's arguments filed 12/29/03 have been fully considered but they are not persuasive. Applicant (on page 32) argued that veerasamy does not disclose the claimed limitations such as "the first information processing device and the base station.

However, Examiner respectfully disagrees for the following reasons; the reference fairly shows that communicating between the mobile device, which provides the first information processing to the base (column 6, lines 59-67).

Applicant (on page 33) argued that Panasik does not provide any disclosure relating to any means for mounting the information-processing device on a person's arm.

However, Examiner disagrees for the following reasons, Panasik fairly discloses two wireless communication device such as first device (teacher calculator, (figure 1a-1b, (14) and the second device (student calculator, (figure 1a-1b, (18)) that sending data information by wireless communication and display data information (column 3, lines 35-67, column 4, lines 1-47).

Applicant on (page 36) argued that Panasik, Veerasamy and William do not disclose or suggest the subject matter recited in claim 11 and 16.

Examiner respectfully disagrees, the claimed limitation was addressed by cited references, therefore, and the references fairly disclose the claimed limitations in claim 11 and 16.

Applicant (on page 39) argued that Panasik and Sato do not disclose or suggest the foregoing subject matter recited in independent claim 28.

Examiner respectfully disagrees for the following reasons; the cited reference (Sato) fairly discloses wireless communication for communicating with a base station by short-distance

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(column 1, lines 10-17) and Panasik discloses the first and second wireless device as described above. Both references fairly addressed the claimed limitations.

The combination of all references fairly discloses the claimed limitations, and therefore, all references should be taken in communication and not individually. **The Applicant cannot show non-obviousness by attacking references individually where, as here the rejection is based on combination of references. In re Keller, 208 USPQ 871 (CCPA 1981).**

### *Conclusion*

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mansour M. Said** whose telephone number is **(703) 306-5411**.

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The examiner can normally be reached on Monday through Thursday from 8:30 a.m. to 6:00 p.m. The examiner can also be reached on alternate Friday from 8:30 a.m. to 5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Shalwala Bipin**, can be reached at **(703) 305-4938**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist)

13. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer service Office whose telephone number is (703) 306-0377.

March 22, 2004

**Mansour M. Said**

  
**BIPIN SHALWALA**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**